



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FedEx

Mr. Hunter McCaa
SOILEX Corporation
1529 Technology Drive
Suite 102
Chesapeake, VA 23320

Re: CERCLA OFF-SITE RULE Acceptability Determination - SOILEX
Corporation 1529 Technology Drive, Suite 102, Chesapeake, VA
23320

Dear Mr. McCaa,

The Environmental Protection Agency (EPA), Region 3 is in receipt of your correspondence requesting an acceptability determination for the SOILEX Corporation, 1529 Technology Drive, Suite 102, Chesapeake, VA 23320 (Facility) to receive CERCLA waste, as that term is defined at 40 C.F.R. Section 300.440(a) of the OFF-SITE RULE. As used herein, the term "OFF-SITE RULE" refers to the "procedures for Planning and Implementing OFF-SITE Response Action, "40 C.F.R. Section 300.400". As used herein, the term "CERCLA" refers to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Sections 9601-9675, otherwise known as the Federal Superfund law.

On September 22, 1993, the United States EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 C.F.R. Part 300, by adding 300.440, now known as the OFF_SITE RULE. The OFF-SITE RULE codifies the requirements contained in CERCLA Section 121(d) (3). The OFF-SITE RULE requires that prior to a Facility's initial receipt of CERCLA Waste, EPA believes that an affirmative determination of "compliance" and "control of release" is necessary before a Facility may be deemed acceptable for the receipt of CERCLA Waste.

Based upon a review of Virginia Department of Environmental Quality (VADEQ) inspection reports of the Facility, this letter serves to inform you of Region 3's determination that the Facility is currently acceptable to receive CERCLA Waste.



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Should any new information affecting this determination be obtained, Region 3 reserves the right to revisit the acceptability status of the Facility in accordance with the OFF-SITE RULE. In addition, the determination does not relieve the Facility of its obligations to comply with CERCLA, the Solid Disposal Act, commonly referred to as the Resource Conservation and Recovery Act of 1976, as amended by, inter alia, the Hazardous and Solid Waste Amendments of 1984 (collectively referred to as "RCRA"), 42 U.S.C. Section 6901-6992k or any other applicable Federal or State statute or regulation, nor does this determination limit EPA or VADEQ authority to enforce such Federal or State requirements.

If you have any questions concerning this matter, please contact me at 215-814-3443.

Sincerely,



David L. Toth



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